

The following has special meaning:

green underline denotes added text

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2017 GA S 219

Author: Gooch
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Act No. 214

Senate Bill 219

By: Senators Gooch of the 51st, Beach of the 21st, Mullis of the 53rd, Harper of the 7th and Watson of the 1st

AS PASSED

A BILL TO BE ENTITLED

AN ACT

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for definitions; to exempt persons operating a fully autonomous motor vehicle with the automated driving system engaged from the requirement to hold a driver's license; to provide for satisfaction of requirement to notify law enforcement in certain instances of accidents by fully autonomous motor vehicles; to provide for certain equipment and insurance requirements for fully autonomous motor vehicles; to provide for registration requirements for such vehicles; to provide for exemptions from seat belt requirements; to provide for applicability; to provide for limitations on adoption of certain rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended in Code Section 40-1-1, relating to definitions, by revising paragraphs (15.2), (15.3), (17.2), and (38) and adding new paragraphs as follows:"

(5.1) 'Automated driving system' means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain."

"(15.2) 'Dynamic driving task' means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints, including without limitation:

(A) Lateral vehicle motion control via steering;

(B) Longitudinal motion control via acceleration and deceleration;

(C) Monitoring the driving environment via object and event detection, recognition, classification, and response preparation;

(D) Object and event response execution;

(E) Maneuver planning; and

(F) Enhancing conspicuity via lighting, signaling, and gesturing.

(15.3) 'Electric assisted bicycle' means a device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor. For such a device to be considered an electric assisted bicycle, it shall meet the requirements of the Federal Motor Vehicle Safety Standards, as set forth in 49 C.F.R. Section 571, et seq., and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied. The electric motor in an electric assisted bicycle shall:

(A) Have a power output of not more than 1,000 watts;

(B) Be incapable of propelling the device at a speed of more than 20 miles per hour on level ground; and

(C) Be incapable of further increasing the speed of the device when human power alone is used to propel the device at or more than 20 miles per hour.

~~(15.3)~~ (15.4) 'Electric personal assistive mobility device' or 'EPAMD' means a self-balancing, two nontandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds."

"(17.2) 'Fully autonomous vehicle' means a motor vehicle equipped with an automated driving system that has the capability to perform all aspects of the dynamic driving task without a human driver within a limited or unlimited operational design domain and will not at any time request that a driver assume any portion of the dynamic driving task when the automated driving system is operating within its operational design domain.

(17.3) 'Golf car' or 'golf cart' means any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with a 0.5% grade (0.3 ~~degrees~~ degree) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface."

"(27.1) 'Minimal risk condition' means a low-risk operating mode in which a fully autonomous vehicle operating without a human driver achieves a reasonably safe state, such as bringing the vehicle to a complete stop, upon experiencing a failure of the vehicle's automated driving system that renders the vehicle unable to perform the entire dynamic driving task."

"(37.1) 'Operational design domain' means a description of the specific operating domains in which an automated driving system is designed to effectively operate, including but not limited to geographic limitations, roadway types, speed range, and environmental conditions such as weather and limited visibility.

(38) 'Operator' means any person who drives or is in actual physical control of a motor vehicle or who causes a fully autonomous vehicle to move or travel with the automated driving system engaged."

SECTION 2.

Said title is further amended in Code Section 40-5-21, relating to exemptions to driver's license requirement, by revising paragraphs (11) and (12) and adding a new paragraph to subsection (a) as follows:

"(11) Any resident who is 15 years of age or over while taking actual in-car training in a training vehicle other than a commercial motor vehicle under the direct personal supervision of a driving instructor when such driving instructor and training vehicle are licensed by the department in accordance with the provisions of Chapter 13 of Title 43, 'The Driver Training School License Act.' As used in the previous sentence, the term 'commercial motor vehicle' shall have the meaning specified in Code Section 40-5-142. All vehicles utilized for the in-car training authorized under this paragraph shall be equipped with dual controlled brakes and shall be marked with signs in accordance with the rules of the department clearly identifying such vehicles as training cars belonging to a licensed driving school. A driving instructor shall test the eyesight of any unlicensed person who will be receiving actual in-car training prior to commencement of such training, and no unlicensed driver shall receive in-car training unless such person has at least the visual acuity and horizontal field of vision as is required for issuance of a driver's license in subsection (c) of Code Section 40-5-27; ~~and~~

(12) Any person while operating a personal transportation vehicle:

(A) On any way publicly maintained for the use of personal transportation vehicles by the public and no other types of motor vehicles in accordance with a local ordinance adopted pursuant to Part 3 or 6 of Article 13 of Chapter 6 of this title; or

(B) When crossing a street or highway used by other types of motor vehicles at a location designated for such crossing pursuant to subsection (d) of Code Section 40-6-331 or pursuant to a PTV plan authorized by a local authority as described in Part 6 of Article 13 of Chapter 6 of this title; and

(13) A fully autonomous vehicle with the automated driving system engaged or the operator of a fully autonomous vehicle with the automated driving system engaged.

SECTION 3.

Said title is further amended by adding two new Code sections to read as follows:

"40-6-279.

Notwithstanding the provisions of this chapter to the contrary, when an accident involves a fully autonomous vehicle with the automated driving system engaged, the requirements of subsection (a) of Code Sections 40-6-270, 40-6-271, 40-6-272, 40-6-273, and 40-6-273.1 shall be deemed satisfied if such fully autonomous vehicle remains on the scene of such accident as required by law and such fully autonomous vehicle or operator promptly contacts a local law enforcement agency and communicates the information required by this chapter."

"40-8-11.

(a) A person may operate a fully autonomous vehicle with the automated driving system engaged without a human driver being present in the vehicle, provided that such vehicle:

(1) Unless an exemption has been granted under applicable federal or state law, is capable of being operated in compliance with Chapter 6 of this title and this chapter and has been, at the time of its manufacture, certified by the manufacturer as being in compliance with applicable federal motor vehicle safety standards;

(2) Has the capability to meet the requirements of Code Section 40-6-279;

(3) Can achieve a minimal risk condition in the event of a failure of the automated driving system that renders that system unable to perform the entire dynamic driving task relevant to its intended operational design domain;

(4)(A) Until December 31, 2019, is covered by motor vehicle liability coverage equivalent to 250 percent of that which is required under:

(i) Indemnity and liability insurance equivalent to the limits specified in Code Section 40-1-166; or

(ii) Self-insurance pursuant to Code Section 33-34-5.1 equivalent to, at a minimum, the limits specified in Code Section 40-1-166; and

(B) On and after January 1, 2020, is covered by motor vehicle liability coverage equivalent to, at a minimum:

(i) Indemnity and liability insurance equivalent to the limits specified in Code Section 40-1-166; or

(ii) Self-insurance pursuant to Code Section 33-34-5.1 equivalent to, at a minimum, the limits specified in Code Section 40-1-166; and

(5) Is registered in accordance with Code Section 40-2-20 and identified on such registration as a fully autonomous vehicle or lawfully registered outside of this state.

(b) It shall be the responsibility of the occupants of a fully autonomous vehicle to comply with the requirements of Code Sections 40-8-76 and 40-8-76.1 regarding the use of safety belts and child passenger restraining systems.

(c) Unless otherwise provided in this Code section, fully autonomous vehicles, automated driving systems, and any commercial use or operation of fully autonomous vehicles shall be governed by this Code section, Code Sections 40-1-1 and 40-5-21, Chapter 6 of this title, and this chapter notwithstanding any other provision of law to the contrary. No rules or regulations relative to the operation of fully autonomous vehicles or automated driving systems shall be adopted which limit the authority to operate such vehicles or systems conferred by this Code section."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

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